

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

DONNA CURLING, et al., \*  
PLAINTIFFS, \*  
\* CASE NO:  
v. \* 1:17-cv-02989-AT  
\*  
BRIAN P. KEMP, et al., \*  
DEFENDANTS. \*

**THE STATE DEFENDANTS' MOTION TO FILE A BRIEF IN  
EXCESS OF TWENTY-FIVE PAGES**

State Defendants Secretary of State Brian P. Kemp, State Election Board, State Election Board Members David J. Worley, Rebecca N. Sullivan, Ralph F. Simpson and Seth Harp, and Merle King (collectively the “State Defendants”) respectfully request leave to file a Brief in excess of the twenty-five (25) page limit set forth in Local Rule 7.1(D). In support of this Motion, the State Defendants show this Court as follows:

1. Plaintiffs have filed Second Amended Complaint consisting of one hundred and seventy three (173) paragraphs and including eleven (11) causes of action. Doc. 70. The State Defendants intend to file a Motion to Dismiss the Complaint for lack of subject matter jurisdiction and failure to state a claim pursuant to Federal Rules 12(b)(1), (6).

2. The 173-paragraph Complaint in this case raises a multitude of federal and state claims. Plaintiffs are asserting constitutional claims under both the United States and the Georgia Constitution, a variety of different state claims, and the issuance of the extraordinary writ of mandamus.

3. Briefing the legal bases for dismissal of the various individual claims necessarily requires analysis of different areas of federal and state law, each with differing legal standards and applicable law. The State Defendants, therefore, request that they be given a 25-page extension of the page limit for briefs (allowing the filing of a brief not to exceed 50 pages) so that they can adequately address the legal grounds for dismissal for each of the different claims set forth in the lengthy Complaint.

4. A proposed Order is attached for the Court's convenience. For the foregoing reasons, the State Defendants respectfully request that this Court grant their Motion to File a Brief in Excess of Twenty-Five Pages.

Respectfully submitted,

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**CERTIFICATE PURSUANT TO L.R. 7.1D**

I hereby certify that this Motion conforms to the requirements of L.R. 5.1C. This Motion is written in 14 point Times New Roman font.

/s/Cristina M. Correia  
Assistant Attorney General

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I have electronically filed the foregoing

**STATE DEFENDANTS' MOTION TO FILE A BRIEF IN EXCESS OF  
TWENTY-FIVE PAGES** with the Clerk of Court using the CM/ECF system,  
which will automatically send email notification of such filing to all attorneys of  
record.

This 22nd day of September, 2017.

/s/ Cristina Correia  
Assistant Attorney General